

# The Kansas Chief.

SOL. MILLER, - - - - - EDITOR.

WHITE CLOUD, KANSAS:  
Thursday, : : : April 4, 1861.

## NEWS SUMMARY.

Alvin Sanders, of Iowa, has been appointed Governor of Nebraska.

The people of Arizona, led on by the Governor, are talking of seceding. This thing will be "dried up," by the appointment of new officers.

There is still a very strong Union feeling in Northern Alabama. G. W. Lane has been appointed Judge of the Northern and Southern Districts of that State, and has expressed his determination to hold Court. It is probable that appointments will be made in most of the seceding States.

It is said that John S. Millson, of Virginia, will be appointed to a foreign mission, if he will accept.

Secretary Chase is in earnest in his efforts to restore honesty and economy in the Treasury Department. He intends to call back Elihu Whittelsey, of Ohio, to the position of First Comptroller of the Treasury.

Texas is in trouble. The Indians are devastating her borders, and the dreaded Cortinas, with his Mexican bandits, threatens to make another invasion. To add to the trouble, Old Sam. Houston retains his patriotic streak longer than had been expected, and will not aid secession.

There has been some change in the appointments of foreign Ministers. Cassius M. Clay has been transferred to Russia; Carl Schurz appointed to Spain; David K. Carter, Minister to Bolivia; George G. Fogg, of New Hampshire, Minister to Switzerland; and Frederick Hassaurek, of Ohio, Minister to Ecuador.

The Fort Sumter evacuation question is yet undecided. Fort Pickens, it is said, is to be immediately reinforced. It is to be hoped that the President has determined to "put his foot down firmly," and to carry out what he said, in his inaugural, he had solemnly sworn to do. A dispatch from Charleston, March 28th, stated that Fort Sumter had that day been evacuated; but we have seen no confirmation of it.

The Missouri Legislature has resolved that it is inexpedient to call a National Convention to propose amendments to the Constitution, as recommended by the State Convention.

Gov. Houston has written to the President, asking for Federal troops to protect the frontiers of Texas from the Indians. It is thought that Federal troops will be furnished him, to overthrow the secessionists.

The Virginia people are preventing mail agents appointed by Lincoln from performing their duties. If this is persevered in much longer, the mails will be stopped.

Orders have been given to confiscate all goods entered at Southern ports without payment of United States duty.

Henry Winter Davis, it is now said, will be appointed Minister to China.

**INFORMAL.**—We observe, by the Legislative proceedings, that Mr. Larzelere has contested the seat of Mr. Kimber, as Representative from this County. We did all in our power to elect Mr. Larzelere, and would rejoice in his election to office, believing that he would do credit to the County; but we do not approve of this contest. At the time the votes were counted, it was found that all (with two exceptions) of the Democratic candidates had majorities. The County Board of Canvassers, with Mr. Larzelere as Chairman, threw out precincts, upon grounds of informality or non-compliance with law, which elected all the Republicans except Mr. Larzelere himself. Now he applies to the Legislature to obtain his seat. We were opposed to throwing out precincts at the time, and are of the same opinion still. It was inaugurating a precedent in our politics which would provoke retaliation, thwart the voice of the people, and be destructive of our best interests. If fraudulent votes were cast, the poll-books should have been purged in a proper manner; but this thing of disfranchising an entire precinct because the election officers neglected some duty, or violated the law, is an outrage. We should be pleased to see a solid Republican delegation from Doniphan County; but by rights, Messrs. Osborn and Emory are the only Republicans who should be allowed seats, unless the others were found to be entitled to theirs by a proper purging of the polls—not by indiscriminate disfranchising of entire precincts.

The Atlantic Monthly, for April, has come to hand. It contains ten original contributions of great interest, by eminent writers, among which is the conclusion of "The Professor's Story." In the next number will be commenced some rare literary treatise. Boston—\$3 a year. Or, we will furnish it to our patrons for \$2.

The March number of the Atlantic never reached us. Will the publishers please forward it?

S. L. Jennings has received a fine lot of the best pattern of plows, which he is offering low, for cash. See advertisement.

## A LONG, LAST FAREWELL.

Kansas is a State; and with her territorial condition have departed a host of worthies, whose residence within her borders dated, in some instances, as far back as her territorial existence; others, of more recent date—all having fattened upon her substance, and stuck to her like flies to a sick hog. As Kansas has no farther use for them, they are leaving us—some have gone; others are going; and the balance are getting ready to go. For old acquaintance sake, let us bid a few of them a kindly farewell.

First we take leave of thee, "Old Sorghum." "Thou wert as a sweet morsel unto our lips." Oh, Sammedary! it grieves us to part from thee—but thou art forever gone. Our memory of thee runneth back to the earliest period of our recollection. Then thou wert living on the fat of the land; but latterly thou hadst "axed poor and fallen into decay," because the generous "quasi-quires" were not. It grieved us when we left the home of our youth and bent our steps toward the setting sun, because in so doing we left Sammedary behind. But as the heart of the perishing pilgrim on the desert rejoiceth at the sight of running water, so our sad heart rejoiced one Winter's day, when we heard that Sammedary had come. Then Medary appeared like mushrooms on a showery Spring morning—old Sam, young Sam, sons-in-law, cousins, and boot-blacks. For a little while they flourished, and then as suddenly disappeared, when the frosts of another Winter lay white and stiff on the sumach and hazel brush—old Sam, young Sam, sons-in-law, cousins, boot-blacks, and all—and Kansas shall know them no more forever. We shall remember "Old Sorghum" as one who loved public pap. Sammedary, farewell!

Pettit! thou, too, must leave us! Had it not been for that sad mishap in the Senate, brought about by the imprudence and chronic meanness of thy friends, thou wouldst have had the privilege of laying thy cargo of oil to rest beneath the green sod of Kansas; and, perchance, in after centuries, when the mound above thy bulk had sunk back to a level with the plain, and all remembrance of thee had passed from the minds of future generations, some laborer, in digging a well, or a foundation for a distillery, or some other useful hole, might have discovered thy fossilized remains, and thou mightest have again become the wonder of Kansas eyes, in some museum or cabinet, labeled by some ascended antiquarian as the remains of a scion of the antediluvian ages! Thou art immense—

"If death is great, as wise men say,  
Thou Pettit is a stick of hay!"

or of rye straw, containing the essential juice. Pettit, thou wert a provident man, of great forethought; for thou didst always carry with thee choice liquors by the keg, much to the delight of thy retinue of followers—lawyers, pettifoggers, clerks, and suckers. From the commencement of our existence, thou hast haunted us. When first we opened our eyes in the world, the same neighborhood witnessed the orgies of Pettit. Years afterward, we came to Kansas—"and Pettit came also!" But now an inexorable destiny beckons him away, and we are left to mourn, and refuse to be comforted. To assuage our grief, we shall take to visiting still-houses and pork-houses; for every time we behold a still-tub or a fat-tank, it will remind us of thee. But thy rotund proportions we never more expect to see. When our course is run, and we are done printing newspapers in this world, we expect to go to that good place called Heaven—but we fear we shall find no Pettit there. Pettit, farewell!

Elmore is going, too. He never was of much account; but he has been among us, and is going to leave us; therefore, we must bid him adieu. He was injected into Kansas along with those "sweet tobacco poeies," those "roses of Alabama," who came to perpetuate the smell of the nigger upon our soil. The "poesies" have long since passed away, and the smell of the nigger also. Only Elmore remains; but he, too, is soon going. Rush, farewell! and may the African perfume speedily gladden thy olfactory.

"Way down in Alabama!"  
Old Joe Williams! how can we say farewell to thee? Thou wert nimble of leg and fleet of foot; and thy passion for music was like unto that of him who is celebrated in the verse of Scotia's immortal Bard—

"I upon you've heard of famous Neil,  
The moon that played the fiddle weel."  
Like "famous Neil," thou likewise hadst a partiality for "John Barleycorn;" but thou didst not, like him, bid farewell to whiskey, as we must now bid farewell to thee. Thou art growing old, Joe; "thy locks are like the snow," and thy "frothy pow" must soon "bob under." But shalt thou be deprived of thy chief source of enjoyment in the Great Hereafter?

"Philosophers they tell us when  
To other worlds we go,  
We'll follow the same bandits  
We did on this below."

And a beautiful belief it is, despite the theories of some orthodox religionists, that men, when they depart to the land of spirits, will there follow each pursuits and innocent pleasures as they delighted in here below. If, then, this be true, when some Bayard Taylor, Humboldt, Mungo Park, or other great traveller, in his peregrinations in the Spirit Land,

journeys through Fiddler's Heaven, perchance he will see Old Joe Williams seated upon a three-legged stool, sawing away on his old fiddle, while the nimble feet of congenial spirits keep quick time upon the golden floor! Let us hope that no Jay-hawks will go to Fiddler's Heaven, for then it would be no Paradise to Old Joe. Montgomery believes in a Heaven; but, fortunate for thee, Old Joe, it is not Fiddler's Heaven! Then hast thou lived long on "pap;" but at the same moment that it becomes necessary for us to bid thee farewell, thou must bid farewell to "pap." But thy nimble stumps have well aigh hood down their last jig. Soon it can be said:

"Thou hast drunk thy last swig, thou hast played thy last fiddle,  
No jinks shall awake thee to laughter again!"

For thou wilt be where

"The Jay-hawks come from troubling,  
And the weary are at rest."

Days, months, years, decades and generations will pass away. Thou wilt be gathered to thy fathers; but perchance we may still be in the land of the living, with locks white as thine. We may often sit and think over the dreamy "long ago;" then, as a green oasis in the desert of the past, will come the recollection of thy race for life to escape from imaginary Jay-hawks on the plains of Kansas; and we will imagine

"We see him on his winding way,  
About his head the moonbeams play!"

Williams, farewell!

Colby, thou must leave us! Thou hast had a good time among us—little danger, and big pay. To be sure, thou hast chased Free State men over the prairie, and, as the poet says,  
"Menaheld to the night plain;  
But ran little risk withal." Thou hast pursued Old Joe Williams' imaginary Jay-hawks, and found them not. Thou didst send a Deputy after Richey, and he came not back. Thou hast hunted thieves and murderers, and given them no uneasiness. Ah! now we mind us, one great deed of prowess thou didst perform—thou didst carry young Pickles in irons to Washington City, after others had caught him. Let not that deed perish in history. Centuries hence, when some student in heraldry comes to collect strange devices on coats of arms, illustrative of the famous deeds of the ancestors of the families possessing them, mayhap he will find one representing a cucumber vine laden with young Pickles! This will be the escutcheon of the Colby family! Colby, farewell!

"Joseph is not, and Simeon is not,  
and ye will take Benjamin away." Oh, Beebe! must thou, too, depart from us? We have a warm side for thee, George—even like unto the love of a father for his child. We first discovered and told the world of thy genius; we have anxiously watched and duly recorded thy growing greatness; and never, as long as we have the power to make our voice heard, shall thy talents and great statesmanship go unappreciated. But thou art going in the bloom of youth—like the falling of an apple early ripened by a worm at its core. No more shall the strains of thy eloquence be wafted by the prairie breezes; no more thy messages be the astonishment of statesmen. Thy public career was short, but brilliant. Like a rocket didst thou suddenly shoot up, and just as the world had begun to admire thy brilliance and splendor—thou wert not there! But long, long shall we remember thee—not merely for the things which thou didst do, but rather for those which thou didst not do. As the green grassy knoll where we played and rolled down in our youth; as the verdure of early Spring; as the first mess of greens of the season—as every green thing upon which our memory lingers, will we remember thee. George, farewell!

Walsh! thou wert an official of manifold proclamations. Thy career was beset by many troubles, but few dangers, and thou hadst ever an eye for "number one." But thou art going to leave us! Thou wert famous for knowing many things, which in others would not have been accounted wonderful; and one valuable quality, so lamentably rare in public men of the present generation, didst thou possess, although unappreciated by bigoted and partisan legislators—thou didst "know how to keep hotel!" Walsh, farewell!

Whitfield! thou hast had a long and a strong suck, but must now let go the test. Kansas no longer has charms for thee, and Texas, with outstretched arms, bids thee welcome. Thou hast pocketed many a "skad" wrung from the poor settlers of Kansas—dining fees, trial fees, and pre-emption fees. Thy countenance will light Sweet Kickapoo no longer, and she will sit like a lonely widow beside the muddy waters of the Missouri, and weep. Whitfield, farewell!

Whitheads!—John, Jim, Cary, and all the rest—your backs are turned upon us, and ye are going! Ye were such an accommodating and public-spirited family—always willing to take any office—Legislator, Clerk, Commissioner, Sheriff, Fool-killer, Dog-pelter, Fence-viewer, Hog-reeve, Toad-smasher, or anything else to serve the public, and keep the family in office. Ye were even like unto an immense litter of pigs, each with a test in his mouth, and squealing for more! John, Jim, Cary, and all the rest of the Whitheads, farewell!

Agents, Deputies, and Understrappers! ye must depart likewise! Your masters are banished, and the rubbish they brought here must be cleared out. There are no more fat pickings for ye, and henceforth it must be with ye,  
"Big pig, little pig, must hog or die!"  
Hence, ye accursed Agents, Deputies, and Understrappers, farewell!

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**LEGISLATIVE.**—The State Legislature convened at Topeka, on Tuesday, March 26th. The Senate was promptly organized by the election of John J. Ingalls, of Atchison, as Chief Clerk, together with a full complement of assistants and other officers—all Parrott men.

In the House, there was a great deal of filibustering and factional conduct. W. W. Updegraff was nominated for Speaker, but an attempt was made to deprive him of his seat, upon a technicality, until after the organization. However, this failed; and Updegraff was chosen Speaker, and the other offices filled. Updegraff is for Lane and Parrott.

From the manner in which business has commenced, we fear the session will be unsatisfactory and turbulent, and a lasting disgrace to the State. Money is said to be used freely, and fears are entertained that bribery will be resorted to by the wholesale. The Senatorial question is the great topic. The fever is running high, and much ill feeling prevails. Parrott and Lane evidently have a majority, but the combined opposition seem bent upon preventing their election. The Anties, by the aid of the Democratic vote, have adopted a rule requiring a vote of two-thirds to take up a concurrent resolution. This is intended to operate upon any resolution to go into an election for Senators. The Anti-Parrott men hope by this means to prevent an election, if they cannot secure their men; and the Democrats hope that, if the election is deferred until the next session, they may carry the Legislature. As matters stand, the election of Senators may be defeated this session.

**OREGON ELECTION.**—The Oregon city election came off on Monday, and resulted in the election of a ticket composed of Republicans and Union men. The secessionists knew themselves to be in such a minority, that they did not make a fight. The following are the names of the gentlemen chosen to fill the different offices:

Mayor—Daniel David.  
Marshal—Presley Noland.  
Council—Alfred Walters, Thomas Collins, Henry Myer, A. C. Mills, John Oelmann, Wm. Brodbeck, James Allen, R. D. Markland, Michael Lahmer.  
Assessor—J. C. Vess.

**SARSAPARILLA.**—This tropical root has a reputation wide as the world, for curing one class of disorders that afflict mankind—a reputation too which it deserves as the best antidote we possess for scrofulous complaints. But to be brought into use, its virtues must be concentrated and combined with other medicines that increase its power. Some reliable compound of this character is much needed in the community. Read the advertisement of Dr. Ayer's Sarsaparilla in our columns, and we know it needs no encomium from us to give our citizens confidence in what he offers.—*Organ, Syracuse, N. Y.*

**GET THE BEST.**—Curtis' Mameluke Liniment is performing more wonderful cures throughout the country than any other preparation offered to the public. Persons who have been afflicted for years; who have become hopeless and despairing, have found re-established health and vigor in Curtis' Mameluke Liniment. It seldom fails to cure.

His Symp of Sarsaparilla is equally valuable, and has been remarkably successful in curing that class of diseases for which it is recommended. We bespeak for it a fair trial, by persons who are suffering with affections of the respiratory organs. See advertisement.

**GOVERNOR'S MESSAGE.**—This document will be found in the present issue. Let no one fail to read it. It is a creditable paper, and quite a treat after the long series of wispy-washy, dirt-eating tirades with which Frank Pierce's and James Buchanan's Governors have bored the people. This one reflects the sentiments of the people of Kansas. Most of the recommendations relate to matters of legislation provided for in the Constitution; but there will be found some judicious remarks upon general politics.

**WE HAVE NOT DONE THE EDITOR OF THE Marysville Thumb-paper justice—he is a bigger fool than we gave him credit for. He takes up our offer of \$5, and attempts to explain the "nub" to that joke! We will now pay a reward of \$10 to any person who will acknowledge, upon his honor, that he sees as much "nub" to it as he did before the explanation.**

**ON Monday evening, we had a call from Hunt, of the Elwood Free Press, who for once had ventured from home. From his appearance, we judge that his patrons at least keep him supplied with enough of the needful to make him comfortable. Do so frequently, Hunt.**

**THE steamer Robert Campbell, on Tuesday morning, took a cargo of pork below, from Mr. Bailey's establishment, at this place. There is still a large quantity remaining here.**

**C. D. & H. F. says have removed their store to the room under the Chief office.**

**SCHOOL MATTERS.**—A new school was opened in this place, the present week, under the superintendence of Mr. J. W. Miller. We are pleased to learn that he has already secured a goodly number of scholars.

We observe, by notices posted up, that another effort will be made here, on the 9th inst., to organize a School District, by the election of Directors. We hope the scenes of last Fall will not be re-enacted. Place three good men in nomination—men who believe in free schools, and take an interest in them—then unite and elect them, without factions, opposition, canvassing, and abuse. Under the Constitution, we can never draw a cent of public school money until we organize a District and establish a school, while our school tax will be just the same.

**THE Thumb-paper has a department called the "Beautiful Nook." In that department, the editor recently published a poetical production of his own, addressed to a young lady in Egypt, Illinois. We learn that the lady died of cholera-morbus, the same night she read it!**

**Every ancient dame knows, beyond dispute, that every child under thirty years "is mighty near dead with worms."—Dr. "Dyrridge," of the Holt County "Home Paper."**

**Was that what troubled you, the time you "hobbed" your horse, down at Carter's, on the Lower Tarkio?**

**We find upon our table the Ladies' Repository, for April. It is illustrated with a beautiful and romantic Evening Scene on the Connecticut River, and a fine portrait of Rev. Henry Slicer, D. D. The reading matter has never been surpassed. Cincinnati—\$2 a year.**

**WE had a fine fall of rain, on Sunday last, which had an extraordinary effect upon the spirits of the farmers. They say it was just the thing for the wheat crops.**

**THE frogs made their first effort in the vocal line, on Tuesday evening.**

## GOVERNOR ROBINSON'S MESSAGE TO THE First Legislative Assembly of the State of Kansas.

To the Members of the Senate and House of Representatives of the State of Kansas:

It is a source of congratulation that the people of Kansas, after a pupillage of more than six years, are permitted to inaugurate a government of their own. Probably no Territory of the United States has had such a varied history as that called by France, and of which Kansas is a part. From September 14th, 1712, until ceded to the United States, April 30th, 1803, the civil code as modified by France and regulations of Spain, was the law of the Territory. In March, 1804, the Territory was divided by a line corresponding with the thirty-third degree of north latitude and the northern portion called the District of Louisiana. The executive power of the Governor of Indiana was extended over the Territory embracing the present State of Kansas, and the Governor and Judges of Indiana were authorized to establish inferior courts, prescribe their jurisdiction and duties, and make laws for the government of the people. In 1805 a Territorial Government was granted to the northern province, and it was called the Territory of Louisiana. Under this government the legislative power was vested in a Governor and three Judges.

In 1812 the Territory was re-organized and named Missouri Territory, its legislative power consisting of a Governor, Council and House of Representatives. In 1820 Missouri was admitted into the Union, leaving Kansas without any organized government.

On the 30th of May, 1854, Kansas and Nebraska were organized, with an Executive and Judiciary appointed by the President, and a Legislature elected by the people. Under the organic act it was claimed that the people were left perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. This perfect freedom resulted in an earnest contest upon the question of slavery, which enlisted on one side or the other the sympathies of the people of the States generally. The temptation to plant that institution in the Territory before consecrated to Freedom, was too strong to be resisted, and to carry out that purpose the first legislature was elected by non-residents, citizens of an adjoining State. This proceeding was earnestly protested against, and the legislature thus elected, with its enactments, repudiated by the inhabitants. The usurping legislature elected all county and local officers for four years, and provided such tests and restrictions for voting as to exclude from the polls all Free State men with self-respect, thus rendering its rule perpetual. The usurpation was endorsed by the President, and there was no way out of the difficulty short of revolution, except in the formation of a State Constitution. Accordingly, in October, 1855, a Delegate Convention met at Topeka, framed a Constitution and provided for a State government. This instrument, although repeatedly ratified by the people, was rejected by the U. S. Senate. After vainly endeavoring to enforce the Territorial usurpation, and after the removal of several Governors for their inability or refusal to enforce the people, the obnoxious tests and restrictions were removed from the ballot box, and the people allowed their rights under the Organic Act.

In the mean time, a movement originated under the auspices of the usurpers, which resulted in the instrument known as the Leecompton Constitution. This Constitution, like the Legislature providing it, was repudiated by our citizens and conditionally rejected by the President. While the Leecompton Constitution was pending in Congress, the people, in order to secure a government of their own, called another Convention, which assembled at Leavenworth, and framed a third Constitution that was also rejected by Congress.

Persistent in their efforts to secure their political rights, another Convention was called by the people, through their Legislature, which met at Wyandotte, July 5th, 1859, and framed the Constitution under which you were elected and are called upon to legislate. This Constitution has been approved by Congress, and by the Act of Admission we are placed on an equal footing, politically, with all the States of the Union.

The necessity for so much Constitutional making and strife as Kansas has experienced during the past six years, has been caused chiefly by the question of slavery. That question, so far as the Constitution and Laws can settle it, is now settled. Whether or not there is a vestige of the institution remaining in the Territory, is a matter for the Judiciary to decide. It is truly a cause for rejoicing that this disturbing element is forever removed from our local politics, and that our domestic institutions are such as are best calculated to develop the resources and secure the highest good of the State.

The formation of so many Constitutional amendments was necessary by the slavery contest, and this contest was opened by the action of Congress in removing the slavery restrictions, and continued by its rejection of the Topeka and Leavenworth Constitutions.

It is customary for Congress to pay the expenses of making one Constitution in all new States, and as it was owing to no fault or action of the people that Kansas was not admitted under her first or third Constitution, but to the failure of Congress to respond to the popular sentiment of the Territory, the General Government should defray the expenses incurred in framing them.

The attempt to fasten upon Kansas an institution distasteful to a large majority of the people, in direct violation of the letter and spirit of the Organic Act, caused much suffering and pecuniary loss. It is the duty of all governments to preserve the peace. It is for this they are organized and supported. The citizen who is taxed to defray the expenses of a government, has a right to full protection of life and property, and the power that assumes the government of a people is responsible for the same. It is notorious that the peace of Kansas was not preserved by the government, but, on the contrary, in many instances, the officers were the aggressors. In short, had it not been for the interference on the part of the Federal Administration, and its attempt to fasten slavery upon us, in opposition to the wishes of a large majority of our people, but little, if any, loss would have been suffered by our citizens.

The Territorial Legislature of 1859 provided for a Commission to audit the losses incurred during the disturbances, and they awarded, as due to our people, nearly five hundred thousand dollars. This amount, it is clearly the duty of the Federal Government to pay, and it is believed that an appropriation will be made at the next session of Congress for that purpose. As the Legislature provided for issuing warrants on the Territorial Treasurer for the amount of the awards of the Commissioners, it would avoid confusion and do justice to all parties, should Congress provide that the money paid should be to the claimant, in person, or his attorney, on the surrender of his warrant, or to the State Treasurer, who should pay it out in like manner. This method would protect all parties, and relieve the State from all liabilities, should any now exist, without loss to itself, and without incurring the odium inseparable from repudiation. The claimants are very numerous, and for the most part worthy citizens who suffered in a just cause, and it is highly proper that the State should render all aid possible in procuring from Congress their due, while it protects all parties from loss.

From the report of the Territorial Auditor to the Territorial Legislature, it will be seen that the present indebtedness of the State cannot be less than \$100,000. On the principle that taxation and representation are inseparable, this debt should be assumed by Congress. Kansas has not only had no representative in Congress, but the control of the Territorial Government has been with the Federal Administration. While we have furnished our proportion of revenue to the Federal Treasury, without representation, it is not too much to ask that the expenses of the Territorial Government should be met by that Treasury.

In the act of admission, Congress rejected the ordinance attached to the Constitution, and proposed, instead, to give the State the 16th and 36th sections in each township; for schools; 72 sections for a university; 10 sections for public buildings; 6 sections to each salt spring, not exceeding twelve in number, and 5 per cent. of the sales of the public lands, with the following proviso: "That the foregoing propositions, heretofore offered, are on the condition that the people of Kansas shall provide by an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil, within the same, by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof, and that said State shall never tax the lands or the property of the United States in said State."

The right to tax the lands of the United States is thus virtually conceded, unless relinquished by an ordinance of the State. Such is the decision of the Supreme Court of the United States. In 1839, Judge McLean, of the Supreme Court, made the following decision: "It is true the United States hold the proprietary right, and also the right of sovereignty, until the State Government was established; but mere proprietary right, if it exists, gives no right of sovereignty. The United States may own land within a State, but political jurisdiction does not follow ownership. Where jurisdiction is necessary, as for forts and arsenals, a cession of it is obtained from the State. Even the lands of the United States, within the State, are exempted from taxation by compact."

Gov. R. J. Walker, in his inaugural address to the people of Kansas, said: "I do not dispute the title of the Government to the Public Lands in Kansas, but I do say that this right is that of an owner only, and that when Kansas becomes a State the Public Lands are sub-

ject to taxation by State authority, like those of any individual proprietor, unless that power is relinquished by the State in the ordinance, assuming the form of a compact, by which the State is admitted into the Union."

It seriously impairs the revenue and prosperity of any State to have within its large tracts of land not subject to taxation, and more especially to a new State. Should Kansas relinquish the right to tax the Public Lands, a fair equivalent should be granted. While no exorbitant demands should be made, and the most friendly relations to the Federal Government be cherished, it is the right and duty of the Legislature to ask such terms as are just and equitable. The terms proposed by Congress are for our "free acceptance or rejection," and may be accepted absolutely or conditionally. Should the Legislature accept the proposition and exempt the Public Lands from taxation on condition that the expenses of the several Constitutional Conventions, the awards of the Claim Commissioners, and the indebtedness of the Territory, be paid, and a grant of money and land for public institutions, buildings and railroads be made, equal to grants made to other States, it would doubtless be readily accepted by Congress.

The act of admission provides that, where either or any part of sections 16 or 36 have been sold or otherwise disposed of, of other lands, equivalent thereto as contiguous as may be, shall be granted to said State for the use of schools. No provision is made for making this selection of equivalent lands for school purposes, and it is important that it should be made by this Legislature.

The Lands for University, Public Buildings and Salt Springs, are to be selected by the Governor, subject to the approval of the Commissioner of the General Land Office, and to be disposed of in such manner as the Legislature may prescribe. These lands, not having been selected, their value cannot as yet be estimated, nor can they be intelligently disposed of.

The School Lands, by the Constitution, cannot be sold unless authorized by a vote of the people at a general election, although they are subject to valuation and lease for any number of years not exceeding twenty-five, at a rate established by law. It is important to obtain a revenue from these lands as soon as may be without sacrifice, and some legislation is demanded on this subject. In addition to a provision for leasing School Lands, it may be desirable to submit a proposition to the people to authorize the disposal of a limited amount of the most valuable lands. Cases, however, should be taken to guard against sacrificing them at a low price for the benefit of speculation. It is only in the more thickly populated portions of the State that School Lands should be sold, and then, at a valuation with a minimum of eight or ten dollars an acre. Posterity will hold the present generation to a strict accountability for the disposition of the School Funds. Kansas, in a few years, can have the most magnificent endowment, for her Common Schools, of any State in the Union save Minnesota.

The Constitution contemplates legislation upon the following subjects:

- The times and places of holding District Courts, and their jurisdiction;
- Jurisdiction of Supreme Court;
- Duties of the Clerk of the District Court;
- Jurisdiction of the Probate Courts and Justices of the Peace;
- The selections of pro-tem. Judge of District Court;
- The duties of State and County Superintendents of Public Instruction;
- Establishment of a uniform system of schools;
- State University;
- Benevolent Institutions;
- Penitentiary;
- Provision for the Poor;
- Organization of the Militia;
- Assessment of Taxes;
- Public Printing;
- Property Rights of Married Women;
- Location of Capital;
- Removal of suits from Territorial to State Courts;
- A State Seal.

The present Militia Law provides for the organization of military companies, but for no regimental or brigade officers; if amended in this respect, it would make the present law sufficiently effective. The selection of field officers by the commissioned officers of the companies composing the respective regiments or brigades, would be more satisfactory to the rank and file, and a surer reward of merit, than elections by the Legislature, or appointments by the Executive.

As all laws or parts of laws, in force in the Territory at the time of our admission, not inconsistent with the Constitution, remain in force until they expire or shall be repealed, it may not be necessary or expedient for the Legislature to act upon all the subjects above enumerated at its first session. It is made the duty of the first Legislature, however, to provide for an apportionment of the Members of the Legislature, and for submitting the question of permanent location of the Capital to a vote of the people. Some legislation concerning the jurisdiction of the several Courts, is required immediately, so that this branch of the Government may have no doubt thrown over its action.

Although the Constitution continues in force the Territorial Laws, until they shall expire or are repealed, without an exception each require some change in phraseology, or otherwise, to make them harmonize with the State Constitution. This being the case, and as the laws in many instances are contradictory and obscure, no time can be more appropriate than the present for a complete revision and codification of all the laws. A codifying committee, composed of the best legal talent of the State, to sit during the recess, would save expense and hurried legislation. Should such a committee be appointed, the present session could be limited to a few days, and no legislation, excepting such as may be necessary to the harmonious working of the Government, postponed until the regular session.

The Constitution declares that "the Legislature shall provide each year for raising revenue sufficient to defray the current expenses of the State," but for "extraordinary expenses," the State may contract debts.